

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America
v.

Calvin Johnson

Defendant(s)

Case No.

1:20-mj-0802

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 2, 2020 in the county of Marion in the
Southern District of Indiana, the defendant(s) violated:

Code Section

18 U.S.C. § 922(g)

Offense Description

Unlawful Possession of a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

/s/ Leonard P. Rothermich

Complainant's signature

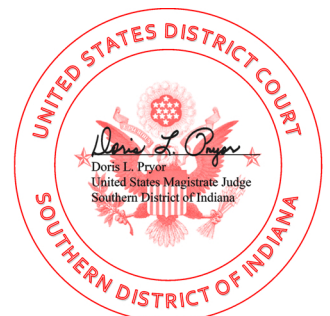
Leonard P. Rothermich, SA/ FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by
telephone *(reliable electronic means)*

Date: September 15, 2020

City and state: Indianapolis, Indiana



AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT
AND ARREST WARRANTS

I, LEONARD P. ROTHERMICH, being duly sworn according to law, depose and state as follows:

I. INTRODUCTION

1. I am and have been employed as a Special Agent with the Federal Bureau of Investigation ["FBI"] since November of 2014. Prior to that time, I spent 22 weeks training to be a Special Agent at the FBI Academy in Quantico, Virginia beginning on June 15, 2014. Through the FBI, I have received extensive training related to the investigation of federal crimes to include violent crime and firearms offenses. Prior to this, I spent five years on active duty in the United States Army as an officer in the Military Police Corps. I am currently assigned to the FBI Violent Crime Task Force ["FBI VCTF"] in the Indianapolis Field Office of the FBI. In this assignment, I investigate all manner of violent crime, to include armed robberies, narcotic investigations, and firearm related offenses.

2. This affidavit is submitted in support of an application for a Warrant for the Arrest of Calvin Johnson ["JOHNSON"] a/k/a "Lakeyshia Johnson", a/k/a "Keyshia Johnson", black male¹, date of birth ["DOB"] XX-XX-1984, social security account number ["SSAN"] XXX-XX-1840. Based on my training and experience, and based on the facts below, there is probable cause to believe that the JOHNSON committed the following:

¹ JOHNSON identifies as a female and goes by the aliases "Lakeyshia Johnson" or "Keyshia Johnson." The pronouns she and her are preferred when referring to JOHNSON.

a. On September 2, 2020, JOHNSON was found to be in unlawful possession of a .45 caliber Smith & Wesson semiautomatic pistol, bearing serial number HTC5674, and a 9mm Smith & Wesson semiautomatic pistol, bearing serial number HNM0544. Your Affiant knows that JOHNSON was a prior convicted felon as of September 1, 2004 under Marion County (Indiana) Superior Court [“MCSC”] cause number 49G02-0403-FB-045721. The underlying conviction was for Armed Robbery, in violation of Indiana State Code 35-42-5-1(1).

i. Title 19, United States Code, Section 922(g)(1) states: It shall be unlawful for any person, who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, to possess a firearm or ammunition, which has been shipped or transported in interstate or foreign commerce, and may be sentenced to a term of imprisonment not more than 10 years.

3. The statements contained in this affidavit are based in part on information provided by, and conversations held with, Special Agents and Task Force Officers [“TFOs”] of the FBI; detectives and patrol officers of the Lawrence Police Department [“LPD”]; and on my experience and background as a Special Agent of the FBI.

4. I have not included each and every fact that has been revealed through the course of this investigation. I have set forth only the facts that are believed to be necessary to establish the required foundation for this issuance of the requested Warrant for Arrest.

II. BACKGROUND OF THE INVESTIGATION

5. On February 6, 2020, a grand jury sitting in the US District Court for the Northern District of Oklahoma found probable cause to indict JOHNSON for two counts of wire fraud, in violation of Title 18 USC, Sec. 1343. At that time, the US District Court for the Northern District of Oklahoma issued a federal warrant for JOHNSON's arrest. Special Agent Mark Wells ["SA Wells"] of the Tulsa Resident Agency ["RA"] of the Oklahoma City Division of the FBI had investigated JOHNSON for this criminal conduct and eventually learned that JOHNSON may have recently fled the state of Oklahoma. SA Wells entered JOHNSON's warrant into the National Crime Information Center ["NCIC"] in order to ensure that all federal and local law enforcement agencies would become aware of JOHNSON's status if they were to ever encounter JOHNSON.

6. On September 2, 2020, officers with the LPD were running license plates in the vicinity of the Woodspring Suites, located 9515 Pendleton Pike, Lawrence, Indiana. One of the vehicles that they ran was a red Dodge Charger, bearing Indiana license plate 748DEN, which was being operated by a lone occupant. The Indiana BMV return for this vehicle showed it registered to JOHNSON, who still maintained an active warrant as previously described. This information was relayed to the LPD officer who ran the license plate. Due to the fact that the driver may have been wanted, the LPD conducted a traffic stop of the Charger and confirmed JOHNSON to be the driver. The LPD further determined that the Charger would need to be towed. Prior to this, the officers on scene conducted an inventory search of its contents.

7. During the search, the LPD located two firearms within the Dodge Charger. The first was a .45 caliber Smith & Wesson semiautomatic pistol, bearing serial number HTC5674. The second was a 9mm caliber Smith & Wesson semiautomatic pistol, bearing serial number

HN0544. Officer Agresta of the LPD then verbally provided JOHNSON with JOHNSON's Miranda Rights. JOHNSON stated that JOHNSON understood these rights and verbally waived them. JOHNSON then admitted to Officer Agresta that both recovered pistols belonged to JOHNSON. The LPD recovered the firearms before the vehicle was towed. They transported the firearms to the LPD Property Room for secure holding.

8. Following this, Deputies from the Marion County (Indiana) Sheriff's Office transported JOHNSON to the Marion County Jail, located at 40 South Alabama Street, Indianapolis, Indiana, for holding on JOHNSON's federal warrant.

9. Your Affiant is aware that Smith & Wesson parts and firearms are manufactured outside of the state of Indiana. Their headquarters and base of operations is located in Springfield, Massachusetts.

10. All of these events transpired within the Southern District of Indiana.

III. CONCLUSION

11. Based on the information detailed above, I believe that there is probable cause that JOHNSON violated a single count of Title 18 United States Code, Section 922(g), in that the following was committed:

- a. JOHNSON maintained a prior felony conviction within Marion County Superior Court as of the date of September 1, 2004 for Armed Robbery, cause number 49G02-0403-FB-045721. On September 2, 2020, law enforcement located JOHNSON in the unlawful possession of a .45 caliber Smith & Wesson semiautomatic pistol, bearing serial number HTC5674, and a 9mm Smith & Wesson semiautomatic pistol, bearing serial number HNM0544.

12. Accordingly, I respectfully request the Court to issue a criminal complaint and arrest warrant charging JOHNSON with this offense.

FURTHER YOUR AFFIANT SAITH NOT

/s/ Leonard P. Rothermich
Leonard P. Rothermich
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 9/15/2020

